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EAST Trust – Sub 12

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EAST TRUST – SUB 12,

08 Civ. 5698(RTH) ()

Plaintiff,

- against -

AVOLAR AEROLINEAS, S.A. DE C.V.,

Defendant.

**SECOND DECLARATION OF ARTURO SORT DE SANZ IN SUPPORT
OF PLAINTIFF'S APPLICATION FOR A PRELIMINARY INJUNCTION**

1. I am a subcontractor to Jet Research Aviation Consultants, which has been retained by EAST Trust – Sub 12 ("EAST Trust") to provide technical consultant services to EAST Trust concerning a certain Boeing Model 737-3B7 aircraft, bearing manufacturer's serial number 23377 (the "Aircraft"). The information contained herein is based on my own personal knowledge, or on documents which I maintain in the regular course of business, except as to those matters which are stated to be upon information and belief.

2. I submit this declaration to describe events that have occurred subsequent to my first declaration in this matter dated June 23, 2008.

3. On June 27, 2008, I met with David Gutierrez, who until last week was Avolar's Director of Maintenance. Mr. Gutierrez informed me that three of Avolar's managers recently have resigned because they had not been paid their salaries in three months. These individuals are Gerardo Morales, Director of Operations, Raul Lobato, Manager of Airport Operations, and Benjamin Avila, Manager of Maintenance.

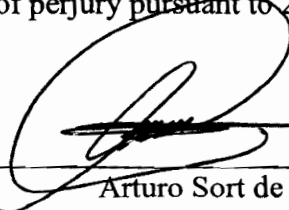
4. Mr. Gutierrez also informed me that his employment was terminated by Avolar on or about June 23, 2008 because Mr. Gutierrez had communicated his view to the Mexican civil aviation authority that Avolar's maintenance department was not properly staffed. Mr. Gutierrez told me that Jose Valencia, who is the new Director of Maintenance, is not properly qualified for the position.

5. Mr. Gutierrez advised me that Avolar is scheduled to replace the horizontal stabilizer jackscrew on the Aircraft on July 1, 2008. The horizontal stabilizer is essential to the control of an airplane's pitch during flight.

6. According to Mr. Gutierrez, Avolar does not have properly trained or certified employees or proper tools to perform the work necessary to replace the horizontal stabilizer jackscrew. Improper replacement of the jackscrew is a significant safety concern because the Aircraft could lose its pitch control during flight, resulting in possible catastrophic failure.

Dated: Tijuana, Mexico
June 29, 2008

The foregoing is affirmed under penalty of perjury pursuant to 28 U.S.C. § 1746.



Arturo Sort de Sanz